

BOWIE COUNTY ELECTION OFFICE

712 James Bowie Dr.
New Boston TX 75570



Central Counting Station Plan

Ref: TEXAS ELECTION CODE SEC. 127.007:

A. PURPOSE:

Section 127.007 of the Texas Election Code requires the *Manager* of the central counting station (“CCS”) to “establish and implement a written plan for the orderly operation of the central counting station.” This plan must be made available to the public on request not later than 5 p.m. on the fifth day before the date of the election.

Section 127.007(b) provides that a CCS plan “must address the process for comparing the number of voters who signed the Epollbook or combination form with the number of votes cast for an entire election.”

B. LOCATION:

The Bowie County Central Counting Station will be in the Election Office Work Room across from the Bowie County Elections Administration, 710 James Bowie Dr., New Boston TX 75570.

C. CENTRAL COUNTING STATION PERSONNEL:

The following are the roles and responsibilities inside the Central Counting Station, as contained in Sections 127.002-127.006 of the Texas Election Code:

- The Elections Administrator will serve as the Central Counting Station Manager to manage the overall administration of the station and supervision of personnel.
- There will be a Deputy Station manager whose duties will be assigned as needed by the Station Manager.
- There will be a *Presiding Judge* whose responsibility is to maintain order at the Central Counting Station, administer oaths, and receive ballots to be counted. *Note: The Presiding Judge is entitled to compensation at the same rate as a precinct Presiding Judge, except that the counting station judge is entitled to a minimum compensation of five hours' pay regardless of the amount of time worked. (127.005 d).* The CC Presiding Judge may appoint individuals to assist in the receiving of ballot boxes and the sealing of ballot boxes after counting is complete and reconciled.
- There will be an Alternate Presiding Judge to serve in the capacity of the Presiding Judge if the Presiding Judge is not present or available. The Alternate Presiding

Judge will assist as needed in the CCS

- There will be a Tabulation Supervisor to supervise and operate automatic tabulating equipment (DS450) and to operate the ElectionWare System.
- There will be Assistant Tabulation Supervisor to assist the Tabulation Supervisor.
- Central Counting Station Clerks may be appointed as needed by the Central Counting Station Manager and the Presiding Judge as outlined Section 127.006 of the Election Code. *Note: To be eligible to serve as a clerk a person must be a qualified voter of the county in which the central counting station is located. The general custodian of election records, an employee of the custodian, or any other employee of a political subdivision is not ineligible to serve as a clerk under this section because the person is a qualified voter of a county other than the county in which the central counting station is located or because of the custodian's status as a candidate or officeholder. (127.006 b).* A clerk is entitled to compensation at the same rate as a precinct election clerk, except that a clerk who serves for the entire time a counting station is in operation is entitled to a minimum compensation of three hours' pay regardless of the amount of time worked. (127.006 d)

D. CONVENING THE CENTRAL COUNTING STATION:

Section 87.0241 of the Texas Election Code dictates when an entity is permitted to count ballots.

The Central Counting Station will convene on election day at a time based on the size and type of election as determined by the Station Manager and the Presiding Judge. If the Early Voting Ballot Board has completed its process to tabulate early voted ballots and has supplied that information to CCS those tabulations may be processed but the results may not be released until election day polls close.

The Early Voting Ballot Board may not begin the process to tabulate early voting ballots until the polls open on election day; or in an election conducted by an authority of a county with a population of 100,000 or more or conducted jointly with such a county, the end of the period for early voting by personal appearance. Tabulations should not be provided to CCS until at least 5:00PM Election Day.

E. ADMINISTRATION OF OATHS:

Section 127.0015 of the Texas Election Code prescribes a required oath for all CCS personnel. The administration of oaths must take place prior to those individuals commencing any of their duties at the central counting station.

This oath shall be administered verbally by the Presiding Judge to all personnel at the central counting station prior to the performance of any duties by the central counting station.

Oath for use in Primary Elections, General Elections for State and County Officers and Elections ordered by the Governor:

"I swear (or affirm) that I will objectively work to be sure every eligible voter's vote is accepted and counted, and that only the ballots of those voters who violated the Texas

Election Code will be rejected. I will make every effort to correctly reflect the voter's intent when it can be clearly determined. I will not work alone when ballots are present and will work only in the presence of a member of a political party different from my own. I will faithfully perform my duty as an officer of the election and guard the purity of the election."

F. INTAKE OF BALLOTS, ELECTRONIC MEDIA, AND SUPPLIES:

Sections 129.051 and 129.052 of the Texas Election Code require the general custodian of election records to develop certain procedures related to inventory control and chain of custody of voting system equipment and electronic media associated with this equipment, providing for verification of equipment identifiers, verification of seals, and verification of chain of custody.

- Election Day Judges, or their designee, bring paper ballots (activation cards) (in sealed ballot boxes) along with the Secure Pack (containing the sealed thumb drive and all paperwork used during the election) to the Bowie County Court House, where the Judges check in both with the Central Counting Station's Presiding Judge or the designated intake clerks.
- Intake clerks will receive from the Presiding Judge or Judges designee the sealed SecurePack and the sealed blue Ballot Box.
- Clerks will verify the seal numbers on the SecurePack, and Ballot Box as listed on the Master Seal Log
- After verification of seals Clerks will open SecurePack and remove the Thumb Drive.
- Clerks will verify the seal on the Thumb Drive as listed on the Master Seal Log.
- After verification of the Thumb Drive seal number, the Receiving Clerks will return the Thumb Drive to the SecurePack, sign the SecurePack receipts and gives the receipt to the Presiding Judge.
- Ballot Box and SecurePack will then be presented to the Station Manager.

G. TABULATION PROCEDURES:

Station Manager or Assistant Station Manager:

- Station Manager or designee will receive the Ballot Box and SecurePack.
- The contents of the Seal Pack will be separated and processed so that Provisional ballots and thumb drives are recorded accordingly.
- Will review the Register of Official Ballots to determine the "Number of Ballots in the Transfer Case" (Item I).
- If there is a difference between Item B and Item I, then the Ballots and the Thumb Drive are transferred to the Tabulation Supervision.
- If there is no difference the Asst. Station Manager places a white dot on the back of the Thumb Drive label and notes how many ballots were tabulated (Item B).
- The Thumb drive is then placed in the correct numbered pocket of the "To Be Counted Board" located next to the Tabulation Supervisor's ElectionWare System.

Tabulation Supervisor:

- The ES&S ElectionWare system will be used to produce zero reports to illustrate that no pre-existing votes exist on the official database.
- On Election Day, Early Voting ballots, including absentees received up to that point, may be tabulated, but in no case will results be released prior to 7:00PM.

- TS will review the “To Be Counted Board” and if a Thumb Drive is determined to have a count difference issue, then the Ballot Box is opened, and the Ballots are processed through the DS450. The results from this Ballot Count will be the number used for input into the ElectionWare System.
- TS will monitor board for Thumb Drives ready to be processed. The Tabulation Supervisor will note the number of ballots (as noted on the back of the label) and continue with the processing in the ElectionWare System. Should there be a difference in the number entered from the Thumb Drive compared to the number noted on the back of the label, Station Manager and Tabulation Supervisor will determine what the issue is and if the ballots need to be counted.
- Should there be an issue with a Thumb-drive the *Tabulation Supervisor* or *Assistant Tabulation Supervisor* will scan all ballots into the DS450 in batches relative to quantity and type as appropriate for that Vote Center.
- TS will place processed Thumb Drives on the “Processed Board”
- Tabulation Supervisor and tabulation assistants will confirm the Thumb Drive for each voting location has been loaded and are all accounted for.
- TS will print necessary results from the ElectionWare System and present to the Presiding Judge for review and signature.
- TS will place the read Thumb Drives in the secure container for archiving.

H. DUPLICATION OF BALLOTS:

Certain ballots that are counted with automatic tabulating equipment may have to be duplicated if the ballot is damaged or cannot be read with the equipment.

1. The *Presiding Judge* and *Alternate Judge*, with any assistants they deem necessary, will duplicate any damaged ballots in accordance with Section 127.126 of the Texas Election Code.
2. All duplication of ballots will be conducted with at least two members of differing political parties.

I. RESOLVING VOTER INTENT:

At the direction of the *Presiding Judge*, CC members will resolve any voter intent questions on the ballots as they are duplicated or manually counted, as applicable.

1. Ballots that are not damaged will be resolved in the Central Count System upon successfully capturing the image of the ballot.
2. Ballots that are damaged and cannot be scanned by the Central Count System will be duplicated. Prior to duplicating the ballot, the *Presiding Judge* of Central Count, or the Early Voting Ballot Board each, with members from different parties, will determine the way the voter intent was deciphered.

J. RECONCILIATION:

The process for comparing the number of voters listed as having voted and the number of ballots cast is done in three ways:

- **Early Voting in Person** – Compare the number of early voting check-ins from the EPollbooks, minus any ballots-thrown-out (e.g., spoiled), to the number of ballots cast.
- **Early Voting by Mail** – Compare the number of ballots entered on the “Ballot

Transmittal Form” from the early voting ballot board to the number of ballots counted. (87.021, 87.1221)

- **Election Day** – Compare the number of voters on the EPollbooks, plus the Omissions List entries, minus any ballots-thrown-out (e.g., spoiled), to the total number of ballots cast. (127.007(b))

K. PRINTING OF PRECINCT RETURNS AND ELECTION TOTALS:

Under Section 127.127, the *Tabulation Supervisor* and the *Assistant Tabulation Supervisor* or their designated assistants are the only individuals authorized to operate the automatic tabulating equipment (DS450) or handle ballots that are automatically counted. After the counting of ballots (or accumulation of vote totals) has occurred, the *Tabulation Supervisor* and *Assistant Tabulation Supervisor* of the CCS are responsible for preparing the precinct election returns. The *Presiding Judge* is required to sign the precinct returns to certify their accuracy.

The printed “Precinct by Precinct” report that has been adjusted to include any hand-counted ballots (if necessary) constitutes the certified precinct returns. (Section 127.131(e), Texas Election Code).

The “Unofficial Election Results” shall be released as soon as available after the polls close. Unofficial election results will be released by the Station Manager, beginning no earlier than 7:00PM. Election Day results will be released incrementally as processed through acceptance and tabulation until all results are in. (Section 121.1311, Texas Election Code).

L. REPORTING RESULTS TO THE SECRETARY OF STATE

For certain elections, including primary elections, the general election for state and county officers, and constitutional amendment elections, the SOS is required to tabulate the unofficial results statewide. (68.001, Texas Election Code). This information can be reported to the SOS through their online portal or via telephone.

The *Assistant Tabulation Supervisor* will prepare reports with the requested totals for the Secretary of State. Deputy Elections Administrator will report the totals to the Secretary of State using the SOS online portal (TEAM) or via telephone as appropriate.

M. POLL WATCHERS:

Poll watchers are entitled to be present during the time the CCS has convened for the “purpose of processing or preparing to process election results and until the election officers complete their duties at the station.” (Section 33.055, Texas Election Code).

A watcher may not leave once counting has commenced without the presiding judge's permission if the counting of ballots at the central counting station has begun. (Section 33.055(b), Texas Election Code).

The poll watcher must deliver their certificate of appointment and certificate of training to the *Presiding Judge* of the CCS and the *Presiding Judge* must countersign their certificate.

Poll watcher(s) are permitted to stand or sit to observe the counting activities. The *Presiding Judge* may dictate where the poll watcher(s) may stand and/or sit to prevent

interference with the duties of the Central Counting Station personnel while still being able to observe all activities. All activities of poll watcher(s) shall comply with Sections 33.055, 33.056, 33.060 and the current *PollWatchers Guide* issued by the Secretary of State.

N. DELIVERY MATERIALS TO THE GENERAL CUSTODIAN OF ELECTION RECORDS:

After the completion of the counting of ballots both on election day and after election day, if necessary, voted ballots, electronic media, election records, and election equipment will be retained by this office, who is the general custodian of election records, through the appropriate retention period to allow for the review of serial numbers as required.

Ballots are required to remain in their respective ballot box for a period of 60 days after the election before they can be prepared for archiving. Ballots and all other election records are required to be retained for a period of twenty-two months.